

**In The United States District Court
For The Western District of North Carolina
Asheville Division**

JERRY D. SMITH,

Plaintiff(s),

vs.

JUDGMENT IN A CIVIL CASE

1:07cv137-RJC-DLH

JOE HENDERSON, et al.,

Defendant(s).

DECISION BY COURT. This action having come before the Court on defendants' Motion for Summary Judgment (Doc. No. 22), the plaintiff's response (Doc. No. 24), and the Magistrate Judge's Memorandum and Recommendation ("M&R") (Doc. No. 27) and a decision having been rendered;

IT IS ORDERED AND ADJUDGED that Judgment is hereby entered in accordance with the Court's November 16, 2010 Order.

Signed: November 16, 2010


Frank G. Johns, Clerk
United States District Court

